

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendments to the claims have been fully considered. The 35 USC 112 2<sup>nd</sup> paragraph rejection has been obviated and is thus hereby withdrawn. Applicant's arguments are persuasive in overcoming the 35 USC 103 rejection which is hereby withdrawn. The obviousness-type double patenting rejection is withdrawn in view of terminal disclaimer filed in the copending application.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 3-5, 7, 9-16, 18, 19, 24-26 and 30 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims contain an embodiment wherein R9, R10 and R15 can be taken together with the neighboring carbon atom to form a ring. It is not possible for all three variables to connect with a single neighboring carbon atom to form a ring. Appropriate correction/clarification is requested.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUN JAE Y. LOEWE whose telephone number is (571)272-9074. The examiner can normally be reached on M-F 7:30-5:00 Est.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571)272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Sun Jae Y. Loewe/  
10-23-2010